

SPW 3763

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/023,587 Confirmation No.: 3111
Applicant : ANTHONY R. PEREZ ET AL.
Filing Date : 12/17/2001
Title : DISPOSABLE SELF-SHIELDING UNIT DOSE SYRINGE GUARD
Group Art Unit : 3763
Examiner : Michael J. Hayes
Docket No. : 706737.41
Customer No. : 34313

Mail Stop Patent Application
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449 and copies are enclosed for the convenience of the Examiner.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

CERTIFICATE OF MAILING (37 CFR §1.8)

I hereby certify, pursuant to 37 CFR §1.8, that I have reasonable basis to expect that that this paper or fee (along with any referred to as being attached or enclosed) would be mailed or transmitted on or before the date indicated with the United States Postal Service with sufficient postage as first class mail on the date shown below in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Dated: September 3, 2004

DOCSOC1:148984.1


Jodie Davis

Applicant : ANTHONY R. PEREZ ET AL.
Appl. No. : 10/023,587
Examiner : Michael J. Hayes
Docket No. : 706737.41

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

☐ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

☒ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

☐ The fee due under 37 CFR § 1.17(p) is submitted herewith.

☒ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

☐ This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

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STATEMENT UNDER 37 CFR § 1.97(e):

☐ Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☒ No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

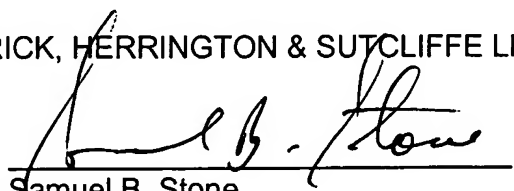
- ☐ A check in the amount of _____ is enclosed for the above fee(s).
☐ Please charge _____ to Deposit Account No. **15-0665** for the above fee(s).
☒ The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Orrick, Herrington & Sutcliffe's Deposit Account No. **15-0665**.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: September 1, 2004

By:


Samuel B. Stone
Reg. No. 19,297

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Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	10/023,587
				Filing Date	12/17/2001
				First Named Inventor	Anthony R. Perez
				Group Art Unit	3763
				Examiner Name	Michael J. Hayes
Sheet	1	of	2	Attorney Docket Number	706737.41

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publications of Cited Documents MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ²			
	1	4,573,976	A	Sampson et al.	03/04/1986	
	2	4,917,673	A	Coplin	04/17/1990	
	3	5,342,320	A	Cameron	08/30/1994	
	4	5,492,536	A	Mascia	02/20/1996	
	5	5,562,626	A	Sanpietro	10/08/1996	
	6	6,186,980	B1	Brunel	02/13/2001	
	7	6,193,695	B1	Rippstein, Jr.	02/27/2001	
	8	6,319,233	B1	Jansen et al.	11/20/2001	

FOREIGN PATENT DOCUMENTS								
Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publications of Cited Documents MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵				
	9	EP	0 405 039	A1	Poirier	01/02/1991		
	10	EP	0 966 983	A1	Becton, Dickinson and Co.	12/29/1999		
	11	WO	88/02297	A1	Risdon Corporation	04/07/1988		
	12	WO	99/17823	A1	Safety Syringes, Inc.	04/15/1999		
	13	WO	01/41841	A2	Plastef Investissements	06/14/2001		
	14	FR	2 654 346	A1	Laisne	05/17/1991		
	15	FR	2 764 195	A1	Blue Star Corporation et al.	12/11/1998		
	16	FR	2 778 853	A1	Societe D'Etudes et D'Applications Techniques-S.E.D.A.T.	11/26/1999		
	17	FR	2 799 976	A1	Compagnie Plastic Omnium	04/27/2001		
	18	FR	2 801 795	A1	Plastef Investissements	06/08/2001		

Examiner Signature		Date Considered	
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communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.)). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent documents. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

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				Filing Date	12/17/2001
				First Named Inventor	Anthony R. Perez
				Group Art Unit	3763
				Examiner Name	Michael J. Hayes
				Attorney Docket Number	706737.41

Examiner Initials ¹	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	19	U.S. Patent and Trademark Office, Official Gazette, Vol. 1223, No. 2, pgs. 818, 819, and 820, dated June 8, 1999.	
	20	U.S. Patent and Trademark Office, Official Gazette, Vol. 1223, No. 4, pgs. 2156, 2157, and 2575, dated June 22, 1999.	
	21	U.S. Patent and Trademark Office, Official Gazette, Vol. 1224, No. 1, pgs. 303, 305, and 306 dated July 6, 1999.	
	22	U.S. Patent and Trademark Office, Official Gazette, Vol. 1224, No. 4, pg. 3115 and 3404, dated July 27, 1999.	
	23	U.S. Patent and Trademark Office, Official Gazette, Vol. 1232, No. 1, pgs. 381, 382, 384, 385, 386, and 387, dated March 7, 2000.	
	24	U.S. Patent and Trademark Office, Official Gazette, Vol. 1232, No. 2, pgs. 1507, 1508, and 1509, dated March 14, 2000.	
	25	U.S. Patent and Trademark Office, Official Gazette, Vol. 1232, No. 3, pg. 2532, dated March 21, 2000 Book 2 of 2 Books.	
	26	U.S. Patent and Trademark Office, Official Gazette, Vol. 1232, No. 4, pg. 3505, dated March 28, 2000.	
	27	U.S. Patent and Trademark Office, Official Gazette, Vol. 1234, No. 4, pgs. 3543 and 3829, dated May 23, 2000.	
	28	U.S. Patent and Trademark Office, Official Gazette, Vol. 1235, No. 2, pgs. 1234, 1443, and 1444, dated June 13, 2000.	
	29	U.S. Patent and Trademark Office, Official Gazette, Vol. 1235, No. 3, pgs. 2456 and 2457, dated June 20, 2000.	
	30	U.S. Patent and Trademark Office, Official Gazette, Vol. 1236, No. 1, pg. 443, dated July 4, 2000.	
	31	U.S. Patent and Trademark Office, Official Gazette, Vol. 1236, No. 2, pgs. 1625 and 1626, dated July 11, 2000.	
	32	U.S. Patent and Trademark Office, Official Gazette, Vol. 1236, No. 3, pgs. 2873 and 2874, dated July 18, 2000.	
	33	U.S. Patent and Trademark Office, Official Gazette, Vol. 1236, No. 4, pgs. 3963 and 3964, dated July 25, 2000.	
	34	U.S. Patent and Trademark Office, Official Gazette, Vol. 1237, No. 1, pgs. 435 and 436, dated August 1, 2000.	
	35	U.S. Patent and Trademark Office, Official Gazette, Vol. 1237, No. 2, pgs. 1669 and 1670, dated August 8, 2000.	
	36	U.S. Patent and Trademark Office, Official Gazette, Vol. 1237, No. 3, pgs. 2845 and 2846, dated August 15, 2000.	

Examiner Signature	Date Considered
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